SUPREME COURT, U. S.
FILED
AUG 29 1966
JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM 1967

NO. 495 17

ROBERT J. BUTLER, *Petitioner*

v.

UNITED STATES OF AMERICA, *Respondent*

APPENDIX TO PETITION FOR WRIT OF CERTIORARI

NEWTON B. SCHWARTZ,
MEMBER OF THE BAR OF THE SUPREME COURT OF THE UNITED STATES.
100 Bernard, Houston, Texas
Attorney for Petitioner

Alpha Law Brief Co., [illegible], Houston, Texas 77002

IN THE

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

NO. 23055

ROBERT J. BUTLER, *Appellant*,

versus

UNITED STATES OF AMERICA, *Appellee*.

Appeal from the United States District Court for the Southern District of Texas

---

(May 27, 1966)

Before TUTTLE, Chief Judge, RIVES, Circuit Judge, and CHOATE, District Judge.

PER CURIAM: It appears, in light of the affirmance this day of the case of *Butler v. United States*, No. 22774, that this case is now moot.

The appeal is DISMISSED.

IN THE

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

NO. 23,055
22,774

ROBERT J. BUTLER, *Appellant*,

v.

UNITED STATES OF AMERICA, *Appellee*.

Appeal from the United States District Court for the Southern District of Texas

---

(July 29, 1966)

ON PETITION FOR REHEARING

Before TUTTLE, Chief Judge, RIVES, Circuit Judge, and CHOATE, District Judge.

PER CURIAM:

It is ORDERED that the petition for rehearing filed in the above styled and numbered cause be, and the same is, hereby DENIED.

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

OCTOBER TERM, 1965

No. 22774

D. C. Docket No. 4303-A-Criminal Action

ROBERT J. BUTLER, *Appellant*,

versus

UNITED STATES OF AMERICA, *Appellee*.

Appeal from the United States District Court for the Western District of Texas

---

Before TUTTLE, Chief Judge, RIVES, Circuit Judge, and CHOATE, District Judge.

JUDGMENT

This cause came on to be heard on the transcript of the record from the United States District Court for the Western District of Texas, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

May 27, 1966

Issued as Mandate:

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

OCTOBER TERM, 1965

No. 23055

D. C. Docket No. CTD 63-287

ROBERT J. BUTLER, *Appellant*,

versus

UNITED STATES OF AMERICA, *Appellee*.

Appeal from the United States District Court for the Southern District of Texas

---

Before TUTTLE, Chief Judge, RIVES, Circuit Judge, and CHOATE, District Judge.

JUDGMENT

This cause came on to be heard on the transcript of the record from the United States District Court for the Southern District of Texas, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that appeal in this cause be, and the same is hereby, dismissed.

May 27, 1966

Issued as Mandate: Aug 9, 1966